



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: October 18, 2010 6:00PM

DATE: October 4, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Pete Carr, City Administrator

SUBJECT: Modification of Biggs Nuisance Code (Discussion/Direction)

Staff will present draft proposed text changes for Biggs' neighborhood nuisance abatement code.

Background

This staff report was included in Council's September 2010 packet, topic deferred to October meeting agenda.

Council has repeatedly asked staff to follow up more affirmatively on neighborhood nuisance issues such as front yard debris, tall weeds, outdoor marijuana cultivation, dilapidated structures, and obstruction of right-of-way (ROW). Staff has made enforcement improvement within the bounds of code limitations.

In August staff was directed to draft code for enabling more effective enforcement of nuisances, including the definition of acceptable placement of solid waste receptacles. Draft text is presented for discussion purpose with the objective of bringing back adoptable code text in October with standard posting of public notices.

The draft proposed text accomplishes the following:

1. Consolidates 6.25 and 6.27 to reduce redundancy in BMC.
2. Adjusts the time allowance for abatement from 14 days to 10 days. This will speed up the compliance process and reduce confusion. Result will be the current 70-day process streamlined to about 40 days.
3. Replaces language related to Planning Commission to City Council.
4. Provides for issuance of Administrative citations.
5. Specifies placement of solid waste receptacles.
6. Retains discretion of city parks superintendent for approving mow strip landscaping plans while adding proposed enforceable definition of what constitutes acceptable landscaping and maintenance.

7. Continues prohibition against parking on lawns, adds limitations to parking that extends into street areas.
8. Requires abatement of graffiti within in 48 hours.
9. Provides additional fine and compliance requirement for those who repeat code violations within a 12-month period.

Attachment:

Draft BMC Chapter 6.25

Recommendation

Direct staff as desired; can be brought back in November for consideration of approval at a noticed public hearing.

Fiscal Impact

Small, undetermined reduction in administrative costs due to tightened process.
Possibly small, undetermined increase in offsetting revenue to due recovery of fines.